Washington Learns

DRAFT

DRAFT RECOMMENDATIONS FROM THE REGULATORY TECHNICAL ADVISORY COMMITTEE OF THE EARLY LEARNING COUNCIL

REGULATION OF EARLY LEARNING

These possible recommendations are based on committee discussions, research, experience of other states, reports, and findings from surveys of parents and child care providers

The Department of Early Learning (DEL) should:

Parent Involvement

o Make available to parents specific information on the monitoring history of a child care facility or ECEAP contractor (ie: monitoring reports, sanctions, and complaints) on a DEL website with search capacity. (See technology recommendations).

o Make additional efforts to provide information to parents about the role of DEL in setting, monitoring and enforcing regulatory standards, as well as about how to report a complaint about an early learning program. These additional efforts should be linked to public education efforts related to the Quality Rating and Improvement System.

o Emphasize the value of parent involvement, and effective methods for achieving it, in training and technical assistance for early learning providers.

o Employ a "no wrong door" approach to helping parents access and understand the information they seek. Provide the information they seek about access and quality at their initial point of inquiry, whether that is the DEL, child care resource and referral agencies or another source of public information on early learning

o Seek and consider parent views during child care re-licensing and ECEAP program reviews. (See licensing cycle recommendations).

EARLY LEARNING • K-12 EDUCATION • HIGHER EDUCATION

DRAFT

Rules: Clear and Research-Based

- o Use research, national benchmarks, other states, and review of corrective actions and accident patterns to determine the content of regulations. Avoid setting a rule based on reaction to a specific incident or concern without justifying it based on this sort of review.

- o Write, organize and index regulations so they are easy to understand for parents and child care providers with varying literacy levels.

Child Care Monitoring

- o Ensure that all licensed child care homes and centers are monitored in person at least once a year.

  - o Monitoring visits should be unannounced, except for those associated with re-licensing.

  - o At unannounced monitoring visits, providers should not be expected to significantly interrupt their work with children.

Part-Day Preschools

- o DEL should develop a plan for identification and registration of part-day preschools.   Registration would consist of:
  - o Providing basic identifying and contact information about the program to DEL; and,
  - o Completing criminal history background checks on program staff.

- o Use the listing of registered preschools to provide information about the Quality Rating and Improvement System and other health, safety, and quality efforts.

- o Consider future additional regulation of part-day preschools. However, part-day programs that adhere to ECEAP or Head Start performance standards should not be subject to any further regulation.

Consistency:

EARLY LEARNING • K-12 EDUCATION • HIGHER EDUCATION

DRAFT

- o Update child care licensing and ECEAP program review policy manuals and train staff on their application.

- o Provide forums for staff to case-conference on interpretation of rules.

- o Certify regulators annually through an inter-rater reliability assessment. DEL staff whose ratings do not meet a threshold of correlation with skilled colleagues should receive training and further assessment to ensure competence before resuming duties.

- o Include opportunities for both input from providers and self evaluation as part of the annual performance review of DEL staff.

- o Establish a method to track provider concerns regarding the consistency of regulatory practice and interpretation.

Credentialing

- o Consider a credential for individuals working in different roles in early learning that is 'portable' as the individual changes employers[1].

Child Care Licensing Cycle

- o Consider streamlined re-licensing for providers who have a demonstrated record of meeting regulations or for those who are, in addition, at a high level on the QRIS scale.

- o Continue initial licensing for new providers and use of probationary licenses for those who have significant failure to meet regulations.

- o Re-license a facility after a comprehensive review of the provider including:

    - o Self evaluation checklist
    - o In-person monitoring
    - o Seeking and considering input by parents of enrolled children
    - o Review of the provider's entire file with supervisor input

---

[1] A credential is awarded to an individual, based on his or her education, experience and other qualifications. In contrast, a license is awarded to a facility.

EARLY LEARNING • K-12 EDUCATION • HIGHER EDUCATION

Washington Learns

DRAFT

Technology

- Redesign the automation system for licensing to:
    - Make more efficient use of staff time
    - Track statistics on accidents, violations and other indications of need for changes in rules
    - Provide clear and specific historical information for parents
    - Make available more information for child care providers

- Make technology upgrades a high priority, as they are central to several other recommendations regarding regulation, as well as to implementation of the QRIS system.
    - Consider adopting software systems from other states
    - Consider jointly technology for regulation and for QRIS

- Make laptop computers with printing capability available for use by field staff.

Background Checks

- Centralize responsibility for child abuse and neglect and criminal history background checks for child care, ECEAP, preschools and Head Start so that the important, but administrative, task of collecting this data does not fall to individual licensing staff and so that it can be done more quickly and efficiently. Consider electronic fingerprint checks and other methods of increasing the timeliness and efficiency with which these checks can be done.

Weighting Regulations

- Develop a system for weighting regulations depending on their importance to the health, safety and well being of the child.

- Use research and the examples of other states to develop the weighting.

Progressive Enforcement: Positive and Negative

- Increase use of progressive enforcement strategies:

Positive

EARLY LEARNING • K-12 EDUCATION • HIGHER EDUCATION

DRAFT

- o Provide hard copies of regulations and technical assistance, including referral to other sources of aid, on how to meet regulations, particularly for new providers.

- o Develop supports (back up/substitute care, assistance with administrative functions, on-site mentoring and consultation[2]) for child care programs. Research has shown these supports are particularly needed to address the unique needs and risk factors facing family child care providers.

Negative
- o Based on weighted regulations, develop thresholds for taking corrective action (ie: fine, probation, revocation):

    - o Depending on their weight, a single violation, a repeat violation or a number of small violations in concert could trigger action.
    - o This threshold should also require in-person or other appropriate verification that the problem(s) have been corrected.
    - o This threshold, or some variation on it, can also indicate problems serious enough that the facility's QRIS status could be affected.

---

[2] An additional support the Department should consider is a sick-leave policy for subsidy reimbursement that allows for payment even if a child care facility is closed because the provider is ill.

EARLY LEARNING • K-12 EDUCATION • HIGHER EDUCATION